UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/773,148	01/31/2001	Babak Rezvani	COR185-09	5113

7590	03/07/2005

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EXAMINER
JEAN, FRANTZ B

ART UNIT	PAPER NUMBER
2151	

DATE MAILED: 03/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/773,148	REZVANI ET AL.
	Examiner	Art Unit	
	Frantz B. Jean	2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10/26/2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-36* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-36* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

This office action is in response to applicants' amendment filed on 10/26/04. Claims 1-36

are still pending in this application. Claims 35-36 have been added.

The abstract filed on 10/26/2004 has been entered.

The examiner has accepted the drawings correction filed on 10/26/2004.

Regarding fig 3 and 4, they contain items that do not have descriptive
legends. The box in the drawing must describe the item it represents.
Correction is required.

                    Claim Rejections - 35 USC § 103
The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all
obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically
disclosed or described as set forth in section 102 of this title, if the
differences between the subject matter sought to be patented and the prior art
are such that the subject matter as a whole would have been obvious at the
time the invention was made to a person having ordinary skill in the art to
which said subject matter pertains. Patentability shall not be negatived by
the manner in which the invention was made.

Claims 1-12, 15-17, 18-29 and 32-36 are rejected under 35 U.S.C. 103(a) as
being unpatentable over Axis ("Network Camera Developments Enable Live Web
Imaging", AXIS 2100 White Paper, Nov. 12, 1999, pp. 1-12) in view of Bates et
al. (U.S. Patent No. 5,907,681) and further in view of Combar et al.
("Combar") Us patent Number 6,470,386 and Moshal et al. ("Moshal") Publication
Number US 2002/0032637.
As to claims 1 and 34-36, Axis teaches a method comprising: providing a data
source [pg. 8, AXIS 2100 Network Camera Theory of Operation section, par. 1;
network camera as data source]; providing a data using means for utilizing
data from the data source [pg. 8, AXIS 2100 Network Camera Theory of Operation
section, par. 1; Axis discloses that an image (data) is transmitted to a
browser (data using means) from the camera (data source)]; and providing a
communication link between the data source and the data using means [pg. 8,
AXIS 2100 Network Camera Theory of Operation section, par. 1; Axis discloses
that the image is transmitted over a network (communication link)]. Axis fails
to teach the limitation of the data using means having an initial refresh
interval; monitoring at least one criteria related to the refresh interval;
generating an updated data refresh interval based at least in part on the
monitored criteria; and changing the initial data refresh interval of the data
using means to the updated data refresh interval. However, Bates teaches these
limitations. Bates teaches a data using means having an initial refresh
interval [col. 3, lines 10-25; Bates discloses an internet browser (data using
means) with an initial refresh rate]; monitoring at least one criteria related
to the refresh interval [col. 3, line 51 - col. 4, line 15; Bates discloses
the criteria used for adjusting the refresh rate for the web page]; generating
an updated data refresh interval based at least in part on the monitored
criteria [col. 3, lines 51-54]; and changing the initial data refresh interval

of the data using means to the updated data refresh interval [col. 3, lines
51-54].

It would have been obvious to one of ordinary skill in the art at the time of
the invention to modify Axis in view of Bates so as to automatically and
adaptively refresh web page data. One would be motivated to do so to provide
efficient updating of a web page. Furthermore, Axis and Bates do not
explicitly detail on transferring the updated refresh interval to the data
using means. Combar is directed to a Web/Internet based monitoring system that
provides a common GUI enabling the requesting and real-time viewing of
telecommunication network traffic and statistical data pertaining to a
customer's telecommunication. Such a monitoring .system includes a client
browser application an d the step of transferring an updated refresh interval
to the data using means (see Combar, col. Col. 1 line 45 to col. 2 line 2; fig
12) and Moshal is directed to a method and apparatus for graphical
representation of real-time data that also includes the features above. Moshal
display is initially set to refresh its data from the server see Moshal page
3-4, par 46). It would have been obvious to one of ordinary skill in the art
at the time of the invention to combine Combar and Moshal's features to Axis
and Bates system because by transferring the updated refresh interval to the
browser they would have facilitated more efficiently information transfer
regarding data refresh interval.

As to claim 2, the combination of Axis in view of Bates, Combar and Moshal
teaches the method of claim 1, wherein the communication link comprises a
network [pg. 8, AXIS 2100 Network Camera Theory of Operation section, par. 1;
Axis discloses communications over a network].

As to claim 3, the combination of Axis in view of Bates, Combar and Moshal
teaches the method of claim 2, wherein the network is a global computer
network [pg. 9-10, Instant Control From Remote Locations section, par. 3; Axis
discloses communications over the Internet].

As to claim 4, the combination of Axis in view of Bates, Combar and Moshal
teaches the method of claim 1, wherein the data using means is a web browser
[pg. 8, AXIS 2100 Network Camera Theory of Operation section, par. 1; web
browser].

As to claim 5, the combination of Axis in view of Bates, Combar and Moshal
teaches the method of claim 1, further comprising providing a database for
storing the data received from the data source [pg. 910, Instant Control From
Remote Locations section, par. 3-4; Axis discloses storing a captured image
from the camera (data source) and alerting a user that the image is available
for viewing].

As to claim 6, the combination of Axis in view of Bates, Combar and Moshal
teaches the method of claim 5, further comprising providing a means for
generating at least one display page based at least in part on the data stored
in the database and which is viewable on the data using means [pg. 9-10,
Instant Control From Remote Locations section, par. 3-4; Axis discloses that a
user views a web page (display page) with the stored image through the web
browser (data using means)].

As to claim 7, the combination of Axis in view of Bates, Combar and Moshal
teaches the method of claim 1, further comprising providing a means for

generating at least one display page based at least III part on the data from
the data source and which is viewable on the data using entity [pg. 9-10,
Instant Control From Remote Locations section, par. 3-4; Axis discloses that
images can be viewed directly from the camera (data source) through the web
browser (data using entity)].

As to claim 8, the combination of Axis in view of Bates, Combar and Moshal
teaches the method of claim 1, wherein the at least one criteria is selected
from the group comprising the likelihood that the data using entity will
receive a large amount of data, the available bandwidth of the communications
network, the closeness of the client to the part of the web site containing a
source of data, the ability of the server to process data, client usage
patterns, database usage patterns, and the nature of the data [col. 4, lines
31-33; Bates discloses monitoring pages used only on the weekends (client
usage pattern)].

As to claim 9, the combination of Axis in view of Bates, Combar and Moshal
teaches wherein the monitored criteria is used in an adaptive algorithm to
determine the updated refresh interval [col. 3, lines 51-54; Bates discloses
applying a heuristic approach (adaptive algorithm) to the history data
(monitored criteria) so as to determine the refresh rate].

As to claim 10, the combination of Axis in view of Bates, Combar and Moshal
teaches the method of claim 1, wherein the updated refresh interval is
transmitted to the data using means [col. 4, lines 59-63;
Bates discloses that a scan of an automatic refresh list or page data is
performed so as to provide the browser (data using means) with the updated
refresh interval].

As to claim 11, the combination of Axis in view of Bates, Combar and Moshal
teaches the method of claim 1, wherein the data using means uses the updated
refresh interval to determine when to refresh the data using means [col. 3,
lines 13-15, 51-54; Bates discloses that the browser (data using means) uses
the refresh rate to provide automatic refresh functions].

As to claim 12, the combination of Axis in view of Bates, Combar and Moshal
teaches the method of claim 1, wherein the data using means requests data from
the data source [pg. 8, AXIS 2100 Network Camera Theory of Operation section,
par. 1; Axis discloses that the web browser (data using means) requests data
from the camera (data source)].

As to claim 15, the combination of Axis in view of Bates, Combar and Moshal
teaches the method of claim 1, wherein the data using means is a visual
display, an audible display, or a tactile display [pg. 8, AXIS 2100 Network
Camera Theory of Operation section, par. 1; Axis discloses viewing images
(visual display)].

As to claim 16, the combination of Axis in view of Bates, Combar and Moshal
teaches the method of claim 6, wherein the at least one display page is pushed
to the data using means [pg. 8, AXIS 2100 Network Camera Theory of Operation
section, par. 1; Axis discloses displaying a web page (display page) with the
image from the camera on the web browser (data using means)].

As to claim 17, the combination of Axis in view of Bates, Combar and Moshal teaches the method of claim 7, wherein the at least one display page is pushed to the data using means [pg. 8, AXIS 2100 Network Camera Theory of Operation section, par. 1; Axis discloses displaying a web page (display page) with the image from the camera on the web browser (data using means)].

·Claims 18-29 and 32-33 represent system claims that correspond to method claims 1-12 and 15-17, respectively. They do not teach or define any new limitations above claims 1-12 and 15-17, and therefore are rejected for similar reasons.

Claims 13-14 and 30-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Axis in view of Bates et al., Combar and Moshal and Nichols et al. (U.S. Patent No. 6,138,150).

As to claim 13, the combination of Axis in view of Bates teaches the invention substantially as claimed.
The combination of Axis and Bates fails to teach the limitation wherein, a data server generates and transmits the updated refresh interval in response to the request for data by the data using means.
However, Combar, Moshal and Nichols teach a data server that generates and transmits the updated refresh interval in response to the request for data by the data using means [col. 6, lines 11-23; Nichols discloses that a secure server transmits the refresh rate to the browser (data using means); see claim 1 rejection above for Combar and Moshal limitations].
It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Axis in view of Bates, in view of Combar, Moshal and Nichols so that a separate secure server provides the refresh rate. One would be motivated to do so to store individualized browser refresh rates, so that different users may use the same browser.

As to claim 14, the combination of Axis in view of Bates, Combar and Moshal Nichols teaches the method of claim 13, wherein a subsequent request for data by the data using means is based at least in part on the updated refresh interval [Nichols, col. 6, lines 21-23].

Claims 30-31 represent system claims that correspond to method claims 13-14, respectively. They do not teach or define any new limitations above claims 13-14, and therefore are rejected for similar reasons.

Response to Arguments

Applicant's arguments filed 10/26/04 have been fully considered but they are not persuasive.

Applicant argued that (1) Axis and the combination Axis, Bates and Nichols do not disclose the invention as claimed, (2) Bates does not send the refresh interval to individual browsers of the pages.

Applicant's arguments regarding to item (1) fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.

Regarding to (2), The combination Axis, Bates, Combar, Moshal and Nichols teach the features above. While Axis and Bates have failed to explicitly detail on transmitting a refresh interval to individual browsers, the combination, however, discloses all the limitations of the invention as claimed (see office action above for details). It must be noted that Combar and Moshal were expressly added to the rejection above to emphasize this feature because Applicants have incorporated this specific limitation in all of the independent claims.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantz B. Jean whose telephone number is 571-272-3937. The examiner can normally be reached on 8:30-6:00 M-f.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on 571 272 3939. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Frantz Jean
03/03/05

FRANTZ B. JEAN
PRIMARY EXAMINER